

G-19-02

Gp/3743

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Schoen, et al.

Application No.: 09/734,755

Examiner: Patel

Filed: 12/11/2000

Group Art Unit: 3743

Title: INTRA-AORTIC BALLOON
CATHETER HAVING A
FIBEROPTIC SENSOR

Attorney Docket No.: DATA_53

#9
6-27-02RESPONSE TO RESTRICTION REQUIREMENTAssistant Commissioner for Patents
Washington, D.C. 20231
Attention: Box Missing Parts

Sir:

The Restriction Requirement, dated May 21, 2002, requests that Applicant choose between species 1 and 2. However, as pointed out to the Examiner during a phone conversation on June 17, 2002, independent claims 1 and 16 are broad enough to read on both species. Therefore, Applicant cannot choose claims that read on only one of the species as defined by the Examiner. Accordingly, it is requested that the Examiner examine all of the claims, as agreed to during the June 17, 2002 conversation.

If the Examiner finds this response unresponsive, rather than delay the processing of the application Applicant elects specie 2, with claims 1-19 readable thereon.

Respectfully submitted,

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: June 18, 2002

Typed Name: Abraham Ronai
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Signature: _____

By _____

Abraham Ronai
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Date: June 18, 2002

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